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TAGS: [PGOV](#) [KDEM](#) [EG](#)  
SUBJECT: EGYPT: CONSTITUTIONAL AMENDMENT PROCESS MOVING  
FORWARD

Classified by DCM Stuart Jones for reasons 1.5 (b) and (d).

¶1. (C) SUMMARY: In a late-night July 11 meeting of Parliament, a day before the assembly concludes its current session and recesses until November, MP's completed their review and discussion of a consolidated report regarding a proposed package of new constitutional amendments. The expectation in Parliament is that, at the beginning of the next session in November, President Mubarak, after having reviewed the Parliamentary report, will send his recommended constitutional amendments package to Parliament for debate and voting. The submission of Parliament's consolidated recommendations to the President is one more critical step down the road towards the constitutional reform promised by Mubarak during the 2005 presidential election campaign. END SUMMARY.

¶2. (C) In a late-night July 11 meeting of Parliament, a day before the assembly concludes its current session and recesses until November, MP's completed their review and discussion of a consolidated report regarding new constitutional amendments, prepared by the General Committee in response to a presidential questionnaire. In December 2005, the Presidency submitted to all members of Parliament a survey soliciting opinions on possible changes and amendments to the Constitution. During a July 12 meeting with poloff, Deputy Speaker of Parliament Zainab Radwan reviewed the Presidential questionnaire in detail, noting that it consisted of nine broad queries to parliamentarians --

-- Should the Cabinet's authorities be expanded? Should the legislative branch's authorities be expanded?

-- If a national emergency arises while Parliament is not in session, what are the appropriate prerogatives of the Executive? Should the President be required to make critical national decisions (such as a declaration of war) only after consultation with the Prime Minister, speaker of Parliament, and the speaker of the Shoura Council (upper parliamentary house)? Should he have the authority to dissolve the Parliament?

-- Should a gender quota be put in place to ensure increased participation of women in Parliament?

-- What is the ideal electoral system (i.e. party-list proportional representation or plurality voting)? How can a greater role for political parties be ensured?

-- How can the de-centralization process be encouraged, and local government authorities further developed?

-- Should socialist provisions of the Constitution, no longer relevant to Egypt's current economic realities, be abrogated? Should Economic Courts be established?

-- Should the position of Socialist Prosecutor, the Supreme Council of Judicial Authorities and the Values Court be abolished?

-- What is your vision for the Anti-Terror Law?

-- How can freedoms and the rights of minorities be enhanced?

The questionnaire also contained a solicitation for ideas for any further amendments and constitutional changes not mentioned in its questions.

¶3. (C) According to Deputy Speaker Radwan and the media, Parliament's consolidated report will be submitted to the President this week, and consists of all replies to the questionnaire. Press reports state that 302 MP's (out of a total of 442) responded to the questionnaire; Embassy contacts note that most of the MP's who did not reply are from the ruling National Democratic Party. Radwan commented that the report details which recommendations were supported or rejected by a majority of the MP's, and also includes all recommended constitutional amendments (in addition to those raised by the questionnaire), along with the number of MP's who support them. According to press reports, among the additional recommendations are an amendment of constitutional Article 77 to limit the President of the Republic to two 6-year terms only; reconsideration of constitutional Article 76 to allow greater flexibility in nominating candidates to the presidency; transferring the authorities of the Supreme Council of the Press to the Press Syndicate, and; giving Parliament the right of censure of the government.

¶4. (SBU) The expectation in Parliament is that, at the beginning of the next session in November, President Mubarak, after having reviewed the Parliamentary report, will send his recommended constitutional amendments package to Parliament for debate and voting. (Note: Under the constitution, a 2/3 majority vote of Parliament is required to amend the constitution. The President also has the option of ordering Parliament to put amendments before the public in a referendum, rather than Parliament voting on them. End Note.)

¶5. (C) Comment: The submission of Parliament's consolidated recommendations to the President is one more critical step down the road towards the constitutional reform promised by Mubarak during the 2005 presidential election campaign. The crucial test for the GOE's reform effort will be the actual substance of the amendments to be returned by Mubarak to Parliament in November. Of particular importance to the overall democratization effort will be amendments regarding electoral reform, and the possible amending of constitutional Article 76, which as currently drafted, effectively wires the Egyptian electoral framework to near-guarantee the presidency to the ruling NDP. End Comment.

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